

your animal will be in better shape to ward off any of these troubles * * * This will expel gases from the stomach, keep the blood cool and the stomach sweet * * * This will give you as good a preventative as is now known. For any information regarding diseases or trouble, you may have with your stock, write us and we will give immediate reply as we are constantly studying the domestic animal and its diseases, and we will give you any information possible.”; (drenching powder, envelope) “If You Expect Results From These Goods You Must Follow the Enclosed Directions * * * Save Your Hogs”; (drenching powder, leaflet) “For use in cases of all kinds of badly deranged stomachs, impaction, clover bloat, corn stalk diseases, and all other troubles where quick relief is required. Remember In Stubborn Cases The Dose May Be Enlarged. In milder cases, it may be reduced. * * * For cattle For impaction, clover or alfalfa bloat, badly deranged stomach caused by dispeptic conditions, * * * For, Calf Scours, * * * In bad cases of scours * * * Cows at calving time For after birth. When cows do not clean within one or two hours, use one (1) pound of Drenching Powder in warm water and drench. If results are not obtained within from three to four hours, repeat the dose. Garget For garget, use the same dose and administer in the same way as for clover and alfalfa bloat. Administer the same dose every other day until relief is obtained. * * * This Trouble Must Be Treated In Its Very First Stages. Otherwise no relief can be had. * * * Corn stalk disease For corn stalk disease in cattle and horses, use same dose as for bloat. Horses In cases of colic, founder, asteria, or impaction, drench with one and one-half (1½) pound Drenching Powder. Where relief is not had within an hour, repeat the dose. Exercise the animal gently until relief is had. Sheep * * * In cases of impaction or bad stomach in grown sheep, * * * Hogs—Old brood sows For constipation, fever and badly deranged stomach”; (fox mineral, leaflet) “Economy Fox Mineral * * * For use as a Vermifuge for periodical worming feed eight (8) ounces for forty (40) Foxes for three days, omitting the cereal feed mornings, then resume the general feeding directions.”

On December 22, 1932, the Economy Hog & Cattle Powder Co., Shenandoah, Iowa, having appeared as claimant for the goods and having consented to the entry of decrees, judgments of condemnation were entered and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of good and sufficient bonds, conditioned that they should not be sold or disposed of until relabeled so that they comply with the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20577. *Adulteration and misbranding of tincture of aconite. U.S. v. Sharp & Dohme, Inc. Plea of nolo contendere. Fine, \$600. (F. & D. no. 28048. I.S. nos. 8985, 27828, 28191.)*

This case was based on three interstate shipments of tincture of aconite that was represented to conform to the standard of the United States Pharmacopoeia. Tests of the article showed that one lot had a potency of less than one third of the pharmacopoeial requirement, and that the other two lots had a potency of less than one half of the requirement.

On December 21, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Sharp & Dohme, Inc., a corporation, Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 7, 1931, from the State of Pennsylvania into the State of New Jersey, and on or about March 3, and April 4, 1931, from the State of Pennsylvania into the State of New York, of quantities of tincture of aconite that was adulterated and misbranded. The article was labeled in part: “Tincture Aconite U.S.P.X. Standard (Tinctura Aconiti) * * * Biologically Standardized Note:—Tr. Aconite U.S.P.X. shows marked deterioration with age. To overcome this 1-100 of one percent of acid has been added to this product. * * * Sharp & Dohme Baltimore-Philadelphia.”

It was alleged in the information that the article was adulterated in that it was sold by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, or purity as determined by the test laid down in the said pharmacopoeia, official at the time of investigation, since the pharmacopoeia provides that tincture of aconite, when administered

subcutaneously to guinea pigs, should have a minimum lethal dose of not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig, whereas the article, when administered subcutaneously to guinea pigs, had a minimum lethal dose of more than the pharmacopoeial requirement, two of the lots requiring 0.001 cubic centimeter per gram of body weight of guinea pig, and the third lot requiring 0.0016 cubic centimeter per gram of body weight of guinea pig, to produce a lethal dose; and the standard of strength, quality, or purity of the article was not declared on the container thereof. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard or quality under which it was sold, in that it was represented to be tincture of aconite that conformed to the standard laid down in the United States Pharmacopoeia, whereas it was not.

Misbranding was alleged for the reason that the statements, "Tincture Aconite U.S.P.X. Standard * * * Biologically Standardized", borne on the label, were false and misleading, since the article did not conform to the requirements of the pharmacopoeia, and was not biologically standardized.

On March 20, 1933, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$600 on the adulteration charges, and withheld fine on the misbranding charges.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20578. Misbranding of Ointrex Rub-Inhalant. U.S. v. 10 Dozen Small Jars, et al., of Ointrex Rub-Inhalant. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29096. Sample no. 2108-A.)

Examination of the drug preparation Ointrex Rub-Inhalant, involved in this case, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the jar and carton labels and in a circular shipped with the article.

On October 25, 1932, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 dozen small, 1 dozen medium, and 1 dozen large jars of Ointrex Rub-Inhalant, remaining in the original unbroken packages at Colorado Springs, Colo., consigned by the Rex Research Corporation, Toledo, Ohio, alleging that the article had been shipped in interstate commerce, on or about March 13, 1930, to Colorado Springs, Colo., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Ointrex Rub-Inhalant * * * prepared by Rex Research Corporation, Toledo, Ohio."

Analysis of a sample of the article by this Department showed that it consisted essentially of volatile oils, including menthol, camphor, and methyl salicylate, incorporated in petrolatum.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Tin container) "Relieves * * * Bronchial, Sinus & Polypus Troubles. * * * Sore Feet, * * * Asthma & Nasal-Catarrh"; (jar label) "Sore Throat * * * Coughs, Whooping Cough, Catarrh, Asthma and Hay Fever. * * * As a Liniment or Dressing, Ointrex will be found very helpful for * * * Boils, * * * In case of acute Bronchitis, * * * Pneumonia, Influenza—call your physician without delay. * * * to relieve * * * Catarrh, * * * Respiratory and Surface Inflammation and Congestion. * * * To Relieve Congestion and Inflammation of the Respiratory Organs and for Surface Inflammations. Influenza, LaGrippe, Croup, Asthma, Catarrh, * * * and Hay Fever"; (carton) "To Relieve Congestion and Inflammation of the Respiratory Organs and for surface Inflammations, Influenza, LaGrippe, Croup, Asthma, Catarrh, * * * and Hay Fever. * * * Colds, to Arrest Their Development and Prevent Complications and Serious Consequences"; (display carton) "'Colds Neglected Cause Tens of Thousands of Deaths Annually' * * * Relieves * * * Bronchial, Sinus and Polypus Troubles"; (circular) "Keep Them Healthy * * * Colds * * * to Arrest Their Progress and Prevent Complications and Serious Consequences * * * Croup Croupy cough is the cause of much concern and discomfort. * * * Croupy Coughs are usually worse at night. Such spells can often be allayed or prevented entirely by an Ointrex treatment before retiring. Fresh, but warm air is essential and in severe cases, consult your family doctor * * *